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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,372	06/21/2000	Laurent Ouvry	034299-260	7291

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EXAMINER

FAN, CHIEH M

ART UNIT	PAPER NUMBER
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2634

DATE MAILED: 07/31/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

AM

Office Action Summary

Application No.

09/598,372

Applicant(s)

OUVRY ET AL.

Examiner

Chieh M Fan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figures 1-7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The Drawings are also objected because Figs. 1-3, 7 and 8 contains elements represented by boxes without labels. The elements have numbers associated with them but no labels to tell a reader what they do without referring to the disclosure, and their functions are not apparent from the boxes used to represent them. Appropriate correction is required. For example, element 10 in Fig. 1 may be labeled "correlation means".

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In particular, the applicants are reminded that the abstract should only have one paragraph. Further, the first and the third paragraphs are grammatically awkward.

Claim Objections

3. Claims 1-3 are objected to because of the following informalities:

Regarding claim 1, "at least one multiple access interference suppression stage" in line 3 should be changed to – a plurality of multiple access interference suppression stages – so as to be consistent with the subsequent limitation "the interference suppression stages" recited in lines 24-25.

Regarding claim 3, "ESI₁" in line 5 should be – ESI_i --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites means (131, 132, 133) for producing synchronization signals able to control the interference suppression means and means (161, 162, 163) for producing synchronization signals able to control the decision means (151, 152, 153) of the final stage (ED) in lines 15-18. These limitations are directed to the reference numerals of the embodiment in Fig. 7. However, on the other hand, the rest limitations are referred to the embodiment shown in Fig. 8. The specification of the present application never teaches the embodiments in Figs 7 and 8 may be used together. Further, as shown in Fig. 7, the interference suppression means (121, 122, 123) never receives a control signal from the means (131, 132, 133) for producing synchronization signal. Therefore, the claimed limitation "means (131, 132, 133) for producing synchronization signals able to control the interference suppression means" does not have support in the specification.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the means for producing synchronization signals are constituted by k means (171, 172, 173)" in lines 19-20. It is not clear the k means are constituted in "the means (131, 132, 133) for producing synchronization signal able to control the interference suppression means" (see lines 15-16) or "the means (161, 162, 163) for producing synchronization signals able to control the decision means (151, 152, 153) of the final stage (ED)" (see lines 17-18).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wagner et al. (U.S. Patent No. 6,229,857), Seo (U.S. Patent No. 6,222,833), Takeuchi et al. (U.S. Patent No. 5,467,368), Zeger et al. (U.S. Patent No. 5,099,493), Gutleber (U.S. Patent No. 4,470,138) and Buehrer et al. ("Analysis of DS-CDMA Parallel Interference Cancellation with Phase and Timing Errors", IEEE Journal of Selected Areas in Communication, Oct. 1996).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chieh M Fan whose telephone number is (703) 305-0198. The examiner can normally be reached on Monday-Friday 8:00AM-5:30PM, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (703) 305-4714. The fax phone numbers

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for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


Chieh M Fan
Examiner
Art Unit 2634

cmf
July 27, 2003